

REMARKS

Independent claim 1 is amended to incorporate claim 5, which was objected to but indicated as containing allowable matter, and thus claim 1 and its dependent claims 2 and 6-10 are in condition for allowance.

Independent claim 12 stands rejected under 35 USC §103 in view of U.S. Patent 5,301,647 to *Snyder* and U.S. Patent 2,706,631 to *Holmes*. *Holmes* has “locking rods 21 which are slidable in eye pieces 22 spring backed by compression springs 24, so that they will automatically move into locking position when the bores in the pivots 17 and the uprights 13 are in alignment” (FIG. 1, column 1 line 75-column 2 line 2). The Office Action contends that:

Holmes discloses a device having an elastic member as a portion of a locking means a first strut and a rotatable leg, and wherein an elastic member is situated on the leg of his device and the elastic member bears against a first strut.

Given the above teaching of *Holmes* of elastic members bearing against attached rotatable members. The examiner notes that to attach resilient locking means between perpendicular strut members is obvious and that it would have been obvious to one of ordinary skill in the art to provide similar locking means on the device of *Snyder* for the purpose of locking two telescopic components together and or to lock rotatable components in place.

In regard to applicants claims of “about the first strut member” the examiner reminds the applicant “that the word about” is not indicative of a term claiming a limitation such as “encircling”.

Claim 12 now recites “a locking member with a curved surface elastically biased to extend through the locking aperture in the first strut member and at least partially through one of the indentations of the second strut member, wherein the locking member is elastically biased by an elastic band ~~extending about~~ at least partially encircling the first strut member, whereby the locking member defeatably maintains the first and second strut members together.” Support is found, for example, in FIGS. 1-2, wherein elastic band 128 is shown at least partially encircling strut members adjacent locking member 124. Claim 12 (and thus its dependent claims 14-15) are submitted to be allowable because it cannot fairly be said that an ordinary artisan would contemplate any arrangement wherein *Holmes*’ elastic spring – even if regarded as being a “band”, as recited in claim 12 – would at least partially encircle the strut member.

Independent claim 16 has been allowed.

Independent claim 18 has been amended to incorporate claim 24, which was objected to but indicated as containing allowable matter, and thus claim 18 and its dependent claims 20, 22-23, and 25-28 are in condition for allowance.

Independent claim 29 has been amended to incorporate claim 31, which was objected to but indicated as containing allowable matter, and thus claim 29 is in condition for allowance.

Independent claim 32 has been allowed.

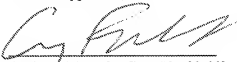
Independent claim 34 has been amended to incorporate claim 38, which was objected to but indicated as containing allowable matter, and thus claim 34 and its dependent claims 35 and 39-45 are in condition for allowance.

Independent claim 46 has been allowed, and its dependent claim 47 is thus allowable as well.

Independent claim 48 has been amended to incorporate claim 49, which was objected to but indicated as containing allowable matter, and thus claim 48 and its dependent claims 50-51 and 53 are in condition for allowance.

If any questions regarding the application arise, please contact the undersigned attorney. Telephone calls related to this application are welcomed and encouraged. The Commissioner is authorized to charge any fees or credit any overpayments relating to this application to deposit account number 18-2055.

For the Applicant,



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